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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12500/2024**

PREM CHAND VAID AND ANR.Petitioners

Through: **Mr. Faraz Anees, Advocate.**

versus

MUNICIPAL CORPORATION OF DELHI & ANR.....Respondents

Through: **Mr. Vikas Chopra, Advocate for
Respondent No.1/MCD.**

**Mr. Harish Dasan and Mr. Hira Lal Jha, Advocates
for Respondent No.2.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.02.2025

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1. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following relief:

“a. pass appropriate writ order or direction thereby directing the respondents No. 1 to take action or demolition of the illegal and unauthorized construction raised on House No.-116, Block No. 15, Dakshinpuri, New Delhi-110062.”

2. Status report was filed by MCD on 17.10.2024 stating therein that pursuant to the demolition order passed earlier, necessary demolition action was fixed on 24.09.2024 and 02 RCC panels have been cut down/demolished and internal partition brick walls have also been demolished on the Fifth Floor of the subject property. Simultaneously after taking partial demolition action, a letter was also sent on 24.09.2024 to the SHO, PS: Ambedkar Nagar to direct the patrolling staff to keep strict watch

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and ward over the subject property so that the demolished portion is not restored or repaired. A prosecution complaint dated 27.09.2024 under Section 466-A of the Delhi Municipal Corporation Act, 1957 was also sent to the DCP South District, Hauz Khas, New Delhi. It was stated that further action will be taken/carried out during the monthly demolition schedule of the area in question, upon availability of police force.

3. Subsequently a further status report dated 01.02.2025 has been filed, wherein it is stated that further demolition action was taken/carried out on 28.10.2024, wherein brick walls and side walls have been demolished on the Fifth Floor. A letter has again been sent on 28.10.2024 to the SHO, PS: Ambedkar Nagar to direct the patrolling staff to keep strict watch and ward over the subject property. Further action is now scheduled on 20.02.2025.

4. In view of the two status reports filed by the MCD, no further order is required to be passed in the present writ petition at this stage. Needless to state that any further action will be taken in consonance with the two status reports as also in compliance of all the statutory provisions and keeping in mind the judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*.

5. In case of any surviving/further grievance, the Petitioner will be at liberty to take recourse to appropriate legal remedies. This order is passed without prejudice to rights and contentions of Respondent No.2.

6. Writ petition stands disposed of in the aforesaid terms.

JYOTI SINGH, J

FEBRUARY 7, 2025

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